

**COMMISSION CONFERENCE****APRIL 2, 2002**Agenda  
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Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

Mayor Naugle announced that the Commission would meet privately regarding litigation strategy in connection with the following cases:

1. City of Fort Lauderdale v Coolidge-South Markets Equities, L.P., a Delaware Limited Partnership, et al (Case No. 00-10449[08]).
2. Michael Chalfonte – Workers Compensation Case No. WC 89-5351

At 1:31 p.m., the meeting was recessed. It was reconvened at 2:07 p.m.

#### **I-A – Federal Courthouse Rebuild/Expansion Program**

A discussion was scheduled on the proposed Federal Courthouse rebuild/expansion program. The City Manager reported that staff had been involved in preliminary discussions with the Chief Judge and various individuals representing the federal government in this regard, as they examined the prospects of renovation of the federal courthouse. He said that he had made it very clear that the City wanted the federal courthouse to remain in downtown Fort Lauderdale, and that it was willing to work with all entities of the federal government toward that end.

At 2:08 p.m., Commissioner Moore left the meeting.

The City Manager advised that there were customary features associated with the design and funding cycle, and the General Services Administration (GSA) had certain rules about the reuse of the existing facility.

*Chief Judge William J. Zloch* expressed appreciation to the City Commission for its recent consideration extended to the federal courthouse in terms of security issues taken up recently. He stated that was very important to the security of the courthouse building itself and to the surrounding buildings. Judge Zloch said he was very interested in keeping the new federal courthouse in the downtown area because he thought it was important to the overall development of downtown Fort Lauderdale, and several sites had been considered. He introduced *Mr. Tom Walker*, Assistant Regional Administrator of the GSA, to discuss those sites.

Mr. Walker stated that the GSA was in the preliminary discussion stage in which the type of building needed and potential locations were under consideration. He expected to get site design for the project funded in 2004, and the site selection could be handled in a variety of ways. Mr. Walker said the GSA always worked with cities in selecting sites in order to maximize the value to the community and to the federal government. He stated that there were a variety of options, including who paid for the site. Mr. Walker explained that if the GSA paid for the site, it would work with the City, but it would select a site that maximized the government's value. He noted that it was sometimes to a city's advantage to place buildings of this nature in a specific nature, so if the City wanted to offer a specific site, that would be considered.

Mr. Walker said there was an intermediary option as well, in that the existing building might not be useful after a new structure was built, so a trade could be considered for some other site.

At 2:12 p.m., Commissioner Moore returned to the meeting.

Mr. Walker stated that the old Southside School site was a possibility because it provided a lot of flexibility in terms of future expansion. There were some concerns about the existing school building, but it could be renovated and used for federal offices, so preservation of the structure was not a problem. He said this was not the only site under consideration, but it might be easier to work with because of the public ownership.

Commissioner Moore asked if any consideration was being given to a location outside Fort Lauderdale. Mr. Walker replied that was not being considered. He explained that the GSA was bound by an executive order, and the City basically dictated the location of the commercial business area, and the GSA did its very best to keep its projects within that area. Commissioner Moore inquired as to the amount of acreage necessary, and Mr. Walker replied that at least 4 acres was necessary. He stated that the benefit of the Southside School site was that if another building was needed in the future, it could be constructed on the same site with 100' setbacks. Mr. Walker explained that 100' setbacks were necessary for security purposes.

Commissioner Moore asked if a budget had been set for construction of the new courthouse. Mr. Walker replied it would cost about \$70 million, with about half for materials, and the rest of labor and sales taxes. Commissioner Moore inquired about the projected square footage. Mr. Mike Roper, Director of Development for the GSA, replied that it would contain about 450,000 square feet. Judge Zloch said one nice thing about a large site was that the building could stay low. Mr. Walker agreed the GSA preferred not to construct high-rise courthouses. Mayor Naugle understood there would be a parking garage as well. Mr. Walker stated that judicial parking was usually secured underground, so the judges, the public, and the prisoners entered from different locations. Commissioner Moore asked if the \$70 million had already been appropriated. Mr. Walker explained that GSA, Congress, and the Administrative Office of the Courts had come up with a five-year process in which the judicial branch ranked projects, and then Congress and the GSA usually followed the list. He advised that this particular project was planned for fiscal year 2004 with construction in 2006.

Commissioner Smith thought everyone really valued the presence of the federal courthouse in Fort Lauderdale, and he personally hoped it could help in the redevelopment area. He believed the Southside School site would meet with some resistance from the citizenry, but there were some sites around City Hall that would be workable. One was the current One Stop Shop, and another was the old heliport west of City Hall. He stated that there were also several sites behind that along the railroad tracks. Commissioner Smith hoped some of those sites would be considered, and he said he could support a trade with the building on the corner. He stated that the City Park Mall property was also a possibility that could be considered, which could work if the surrounding streets were converted to a pedestrian mall. Commissioner Smith noted that even the current City Hall property might lend itself to a pedestrian mall, which could make the property across the street more suitable.

Commissioner Katz agreed with Commissioner Smith that she wanted the federal courthouse stay in the downtown area. However, she had read that a federal courthouse had been built in another state, and the design had negated the need for 100' setbacks. Commissioner Hutchinson believed use of the Southside School site would meet with resistance in the community. Mr. Walker explained that there were ways to mitigate the 100' setbacks, but that "hardened" the building, and sites really drove the size of the buildings. He stated that lower buildings were less expensive and more flexible, and he believed more architecturally significant structures could be constructed if they were not tall.

Mayor Naugle asked if the cost of demolishing the existing courthouse had been estimated. Mr. Walker replied it had not, but the value of the building was \$20 million. Mayor Naugle thought the recommendation was a good one, involving assembly of a team to bring back site recommendations in the next 60 to 90 days. He did not, however, want to move City Hall offices to the old federal courthouse site. The City Manager noted that staff had never recommended that idea, although there had been some discussion about a temporary location, but he understood Mayor Naugle did not support that idea.

Commissioner Katz asked if staff could provide some various funding options. The City Manager advised that staff would do so and would work very closely with the GSA. He added that Congressman Shaw had been very supportive thus far. Commissioner Smith asked if any of the sites under consideration were workable. Mr. Roper believed so, although a course had not yet been set. Mr. Walker explained that at this stage, the GSA usually started talking about it might want to do with the applicable city. He stated that where there were existing buildings, there were some associated rules, but the GSA preferred not to utilize condemnation, and it generally did not condemn structures such as churches or lower government sites. Mr. Walker said that the only time there were major issues was when a site had historic significance because there were restrictive covenants.

Commissioner Moore agreed he had heard concerns about the possible use of the Southside School site, and a number of individuals wondered how the structure might be rehabilitated. Mr. Walker stated that there were some options as to that site. For example, if the community wanted a park, it could be accommodated even as security was addressed. He believed the best course was for the community and the judiciary to work together to examine all the options.

Commissioner Hutchinson stated that she was willing to participate in any discussions with the community with regard to the Southside School. Mr. Walker said it would be helpful to identify any concerns so potential solutions could be sought. Commissioner Smith felt there were better options in the downtown core. Mr. Walker advised that Mr. Roper would continue to work with the City Manager, but something should be known by the middle of the summer. He stated that he would need to know if the City would be willing to participate from a financial standpoint and, if so, how. If not, a different track would be taken.

Mayor Naugle agreed with Commissioner Smith that it would probably be easier on the north side of town, but there were issues there as well, so he wanted to see several sites considered. Mr. Walker stated that one benefit to a location in a residential neighborhood was that it brought lots of people with badges into the area, which helped neighborhoods. Commissioner Smith liked the City Park Mall site. Mayor Naugle believed 2,200 parking spaces would have to be replaced. Mr. Walker noted that the GSA liked a lot of land and surface parking for security reasons, and Washington was not very sympathetic in terms of dollars for parking garages. In fact, the easiest way to kill a project was to propose a large parking garage.

Mayor Naugle inquired about the parking provided at the federal courthouse in Miami. Mr. Zloch advised it had all surface parking. He stated that a garage had been built at a courthouse in South Carolina and another in Alabama, but the GSA tried to avoid it.

The City Manager stated that a report would be presented in the next 60 to 90 days, and he would solicit input from the Downtown Development Authority and the Community Redevelopment Agency Advisory Board. Mr. Walker advised that Ms. Jill Schaefer would be the project manager for the GSA, and he noted that the GSA had a design excellence program.

**Action:** Subject to be considered again in 60 to 90 days.

At 2:50 p.m., Commissioner Moore left the meeting. He returned at 2:53 p.m.

### **I-B – Fiscal Year 2000/2001 Comprehensive Annual Financial Report**

A presentation was scheduled on the City's Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2001, along with the Auditors' Opinion and Comments. The City Manager noted that the Annual Report and comments from the Auditors had been distributed to the Commission. Mr. Damon Adams, Director of Finance, advised that a letter of transmittal had been distributed to the City Commission as well, which explained the content of the report and emphasized pertinent financial highlights.

*Mr. Tom Bradley*, of Arthur Andersen LLP, stated that the Financial Report fairly represented the financial position of the City, and the management letter included some suggestions for improvement to which the City had responded.

Commissioner Katz referred to page 5 with respect to franchise fees and Risk Management staff. Mr. Adams stated that this involved significant projects, and a third-party administrator handled Workers Compensation. However, this year staff would be concentrating on that aspect. Commissioner Moore believed there were firms that would handle it on a contingency basis. Mr. Adams noted that State law had changed in that respect.

Commissioner Katz inquired about bank reconciliation in a timely manner. Mr. Adams explained the difficulty was that there were so many different locations where dollars were collected, and he felt it was necessary to do a better job in this respect, and he was working on improvements.

Commissioner Smith noted that Code Enforcement fines had been budgeted at \$150,000, but \$600,000 had actually been collected. Mr. Boe Cole, City Treasurer, thought that might be due to heightened activity.

Commissioner Katz had read something about hiring some part-time employees to deal with technology. Mr. Bruce Larkin, Director of Administrative Services, stated that the recommendation had been for one employee doing nothing but security for information technology. However, there were actually several employees who were responsible for various aspects. Commissioner Katz hoped there would be someone to oversee the employee. Mr. Larkin stated that there would be people to handle this responsibility, and the City Commission had approved a proposal to hire a consultant several months ago to provide assistance.

Commissioner Moore referred to franchise fees and taxes as discussed on page 6. He thought there was a difference of opinion in this regard. Mr. Adams stated that there were certain costs involved, and staff had not felt it would be cost effective. Mr. Bradley stated that new agreements could include a clause in this regard. Commissioner Smith believed the first recommendation had been to periodically audit these things. Mr. Bradley said that the companies' auditors could do that, and cited rental car companies as an example.

Commissioner Moore asked if there would be another Internal Auditor within the next 60 or 90 days. The City Manager replied that he expected to fill the position within the next 30 days.

Commissioner Moore referred to the Insurance and Central Services Funds. He understood the auditor was recommending they be combined. Mr. Bradley clarified that there had been a combined net loss of \$2 million, and the deficit in the Insurance Fund was being examined.

**Action:** Approved.

#### **I-C – Contract for Audit Services – Arthur Andersen**

A discussion was scheduled on the contract with Arthur Andersen LLC for audit services for Fiscal Year 2001/2002. Mayor Naugle had thought this decision could wait until June. Mr. Damon Adams, Director of Finance, thought June might be pushing it a little and preferred the matter be addressed at the second meeting in May. Commissioner Smith suggested that a Request for Proposals (RFP) be released and a decision made in June when all the options were known. Mayor Naugle noted that there was a 5-year contract, and the decision to seek proposals could be made in May. Commissioner Katz supported that idea.

The City Manager noted that responding to an RFP of this nature involved quite a bit of work on the parts of the proposers. Mr. Adams advised that staff could prepare an RFP so it would be ready for release in May if the Commission decided to take that route. It was the consensus of the Commission to ask staff to have the RFP ready for a decision on May 21, 2002.

Commissioner Moore wondered why the City always had to use a "Big 8" firm. Mayor Naugle was not sure it was a requirement. Mr. Adams noted that the City was basically a very large corporation, and its audit required considerable resources. Mayor Naugle wondered if having a large auditing firm helped the City's bond rating. Mr. Adams felt that was a valid point, and he pointed out that the City rarely received proposals from local firms although there were some regional firms that had expressed interest. Commissioner Moore was concerned that the process was not as open as he would like with opportunities for smaller companies. Mayor Naugle suggested that if the Commission decided to release the RFP in May, it be mailed to the top 50 firms in Florida.

**Action:** RFP to be prepared as discussed for consideration on May 21, 2002.

**I-D – City Commission Redistricting Process**

A discussion was scheduled on the proposed timeline for the City Commission Redistricting process and proposal to create a Citizen Advisory Panel to assist and provide input as necessary. Commissioner Hutchinson and Mayor Naugle did not favor the meeting suggested for the week of August 26, 2002. The City Manager understood the concern, but the problem involved the number of meetings necessary to obtain public input. Mayor Naugle suggested the scheduled be changed so an ordinance could be adopted by August 11, 2002 so candidates would have the necessary 6-month residency. The City Clerk advised that 6-month residency within the City was required, but a candidate only had to reside within the district at the time of qualification.

Commissioner Moore thought the schedule difficulty might be because the consultant was located out of town, and the City had certain desires in terms of public input. Mr. Paul Costanzo explained that the scheduling difficulties involved the availability of the individuals who needed to be involved, as well as other City meetings and functions. He agreed as much outreach as possible was needed as well.

Commissioner Katz suggested that the first reading of the ordinance be scheduled for the last week of July with the second reading scheduled for the first week of September. Mr. Costanzo stated that the second reading could be scheduled for the week of September 9, 2002 under the timeline discussed in the back-up memorandum, but the community meetings would have to take place in a more compacted time frame.

Mayor Naugle did not want meetings scheduled for July 24 or 25, 2002 because those were the dates of the traditional two-day lobster season. It was the consensus that the consultant would present the ordinance in late July, and both readings of the ordinance would take place in September. Commissioner Moore wanted a one-on-one meeting with the consultant, and he had advised that a meeting was scheduled for next week.

**Action:** As discussed.

**I-E – Downtown Development Authority (DDA) – Selection of Streetlights**

A presentation was scheduled on the top five proposed light fixtures for the DDA's downtown decorative streetlight fixture project. *Mr. Jerry Sternstein*, of the DDA, presented the options, and it was the consensus of the Commission to approve the light shown on the pole.

Commissioner Katz asked if 3 different lights were going to be used, and what was proposed for 6<sup>th</sup> Street. *Mr. Robert Dugan* advised that an "acorn" light would be used in the historic district, and the typical "downtown light" would be used everywhere else.

At 3:35 p.m., Commissioner Moore left the meeting. He returned at 3:37 p.m.

Commissioner Katz displayed some photographs of lights, landscaping and sidewalk treatments she had seen in Winter Park.

**Action:** Approved as discussed.

**I-F – Performance Contracting – Energy Improvements**

A presentation was scheduled on a proposal to initiate the Request for Qualifications/Request for Proposals (RFQ) process for the Performance Contracting Program for energy improvements to City facilities. Mr. Peter Sheridan, Engineering, explained this was an attempt to address financial issues associated with the accelerated Capital Improvements Program (CIP). He stated that this would basically take costs for repairs and upgrades out of the debt expenditure and amortize and pay for them through the energy savings generated.

Commissioner Katz asked if this was a move from a pay-as-you-go process to bonding. Mr. Sheridan explained it was a market tool to help the City through the accelerated CIP and reduce costs.

**Action:** Approved.

**III-B – Advisory Board Vacancies**

1. Board of Adjustment

The Commission wanted to appoint Fred Stresau as an Alternate member of the Board of Adjustment.

**Action:** Formal action to be taken at Regular Meeting.

2. Community Appearance Board

**Action:** Deferred.

3. Community Services Board

**Action:** Deferred.

4. Education Advisory Board

The Commission wished to reappoint Tanner Demmery, Mary C. Fertig, Ellen Salerno, Betty Shelley, Mary Cavaoli, Leonor “Lu” Deaner, Gil Borrero, JoAnne Boggus, Jane Coffman, Michelle Curry-Goosby, Pearl Maloney, Lincoln Pasteur, and Jessica Pollini to the Education Advisory Board. Commissioner Moore wanted to appoint Brad Mattair and Margaret Haynie Birch.

**Action:** Formal action to be taken at Regular Meeting.

5. Marine Advisory Board

The Commission wanted to reappoint Tom Gleason, Barry Flanigan, John Naclerio, Dr. Geraldine Udell, Margery Anderson, Joe Hessmann, Roger McKee, Robert Sadowski, Thomas Thornton, Bernard Gartner, and Ted Peterson to the Marine Advisory Board. Commissioner Moore wished to appoint Norbert McLaughlin.

**Action:** Formal action to be taken at Regular Meeting.

6. Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Commissioner Moore wished to appoint Pastor John White to this Board.

**Action:** Formal action to be taken at Regular Meeting.

7. Nuisance Abatement Board

**Action:** Deferred.

8. Unsafe Structures and Housing Appeals Board

**Action:** Deferred.

**IV – City Commission Reports**

1. Healthy Mothers/Healthy Babies – Studies around Wingate Site

Commissioner Moore stated that there had been discussion for a number of years about the infant mortality rate in Broward County, and specifically around the Wingate Site. He noted that some statistical data had been distributed, and the numbers were very high. Commissioner Moore stated that a \$250,000 grant had been obtained from the State to perform some health assessment in the area, but the Community Advisory Committee (CAC) felt the proposed study would have little impact. Therefore, he suggested using the money to work with the Broward County Medical Examiner because many of the tests necessary to determine infant deaths could not be performed due to lack of funding for autopsies.

Mayor Naugle pointed out that the statistics provided were for all of Broward County, and he had not seen any breakdown related to the Wingate site. Commissioner Moore advised that there was a breakdown showing higher infant mortality rates in the 33311 and 33312 zip code areas. Mayor Naugle understood the idea was to use the money for autopsies with parental consent. Commissioner Moore agreed that was correct. Commissioner Katz asked who would make the decision, and Commissioner Moore believed the Medical Examiner wanted to perform autopsies on all infants with sufficient funds and parental consent. He added that the State had the final say as to how the money would be spent.

*Ms. Bette Tiernan* asked if the monies were only available for studies or if there was money available for prevention. Commissioner Moore thought the money could be used for almost anything, but the rationale of the community had been to find some method of identifying the health concerns. Ms. Tiernan said she had been a nurse in this district for 15 years, and there were many health issues in this community. Nevertheless, she preferred to see the money spent on prevention and research because it was a great problem that needed to be addressed. Ms. Tiernan was not certain the cause was any one element, and a bigger problem was the lack of prenatal care. She believed many of the problems stemmed from untreated substance abuse, and she wanted to see the monies used to reduce the number of fatalities very quickly.

Commissioner Moore acknowledged Ms. Tiernan's point, but prenatal care had been the focus of "Healthy Mothers/Healthy Babies" since its creation, and it had done a good job. However, the impact of \$250,000 would probably be greater by obtaining data through autopsies because that amount would not have much impact in a primary health care program.

Commissioner Katz thought additional study was in order because there might be different results through some other use of the money. Commissioner Smith suggested that the City Manager investigate the situation and provide a report.

**Action:** City Manager to investigate and report.

2. African-American Library/Code Enforcement on Sistrunk Boulevard

Commissioner Moore reported that the new African-American Library would open in October. He wondered if some stricter Code enforcement measures were possible in order to get buildings painted on Sistrunk Boulevard. He understood there was a commercial building ordinance, and he wanted it enforced, particularly on Sistrunk Boulevard to enhance the aesthetics of the corridor. Commissioner Smith suggested that litter and maintenance of vacant lots also be addressed.

Commissioner Moore felt there should be maintenance agreements with those who operated small stores and for those operating large businesses. He hoped the Midtown Business Association would present some maintenance standards to the City Commission, and he felt there should be some assistance provided. Commissioner Smith felt the City Manager had done a great job of having bad properties torn down.

**Action:** Staff to investigate.

3. Social/Cultural Funding

Commissioner Hutchinson inquired about the process for social/cultural funding. She asked if someone had to come to the Commission for funding. Commissioner Moore believed federal guidelines required it. Mayor Naugle agreed that was true for CDBG funding, but not for social and cultural funding. He believed the Commission had agreed that if requests came in during the year, they could be placed on an agenda for consideration. However, he had heard that staff had recommended people approach their district Commissioners. That was what Commissioner Hutchinson had heard as well. Mayor Naugle did not think that what was the Commission had decided.

Commissioner Katz recalled discussion about going along with using funds in order to obtain larger federal grants as matching grants. Mayor Naugle believed someone could place such a topic on a Commission agenda as a special case to obtain matching monies. Commissioner Hutchinson asked whom someone could approach in this regard, and Commissioner Moore thought she would have to go to the County or the State because the City was not funding these things any longer. That had not been Commissioner Hutchinson's understanding. Commissioner Smith felt that if a citizen and a Commissioner felt something was important enough to place on an agenda, that Commissioner could present the issue.

Commissioner Hutchinson said she had not supported the decision, but she recalled it had been that if people wanted the funding, they would come directly to the Commission. Mayor Naugle pointed out that any Commissioner could have a subject placed on an agenda, and Commissioner Smith noted that the City Manager could as well.

Commissioner Moore thought the majority of the Commission had decided not to provide this funding any longer, but it appeared they were willing to consider such funding on a case-by-case basis, so there would probably be requests presented at every meeting with no budget rather than the previous process that allowed only "one bite of the apple" each year and a level playing field for the applicants. Mayor Naugle agreed he made a very good point.

Commissioner Smith thought each Commissioner could decide if he or she wanted to present something for consideration. Commissioner Hutchinson was not sure on what to base such a decision unless there was some kind of prescribed package or guidelines. Commissioner Moore did not think this conversation made sense since the Commission had already decided it did not want to use tax dollars to deal with social causes. Commissioner Smith believed they had decided against establishing a set amount of money each year and spend it until it ran out. Instead, there had been agreement to consider particular situations because matching federal funds might be an issue. He felt that was a better policy than just giving out \$500,000 a year.

Commissioner Moore pointed out that no money would be budgeted for this type of expenditure, but just because money was budgeted did not mean it had to be spent. Commissioner Hutchinson read aloud a letter from the Budget Office to someone trying to seek funding. It indicated that requests for consideration could be made on an ad hoc basis, but the Commission had made no decision concerning the process.

Mayor Naugle felt the particular organization seeking funding through Commissioner Hutchinson was the perfect type for funding through the Children's Services Tax, to which Fort Lauderdale residents already contributed. Further, the Law Enforcement Trust Fund provided monies for all sorts of programs. He thought this request should be referred to the County or the State. Commissioner Moore agreed.

**Action:** As discussed.

4. A-1-A Greenway

Mayor Naugle referred to a recent letter from Roger Dejarlais, of the County, with regard to the amendment for the A-1-A greenway. He felt the city should be represented at the April 9, 2002 meeting, at which a selection committee would be established, and Commissioner Smith volunteered to attend.

**Action:** Commissioner Smith to attend meeting as discussed.

5. FEC Line

Commissioner Smith reported that there had been a story in the March 31, 2002 edition of the "Miami Herald" about the FEC line. Apparently, the land was now for sale. Mayor Naugle said he was trying to set up a meeting with some of the east side Mayors later in the month to get more people involved.

**Action:** As discussed.

6. Juvenile Justice Parcel – Northeast 4<sup>th</sup> Avenue at Sunrise Boulevard

Commissioner Smith understood Mr. Witschen had made inquiries and learned that it might be possible to get the State to release the Juvenile Justice Parcel at Northeast 4<sup>th</sup> Avenue and Sunrise Boulevard to the City. He wanted to move forward to put something together with the Northside School and Warfield Park to provide some open space around this historic school. The City Manager advised that staff was exploring the issue with the State.

**Action:** As discussed.

7. County Land Preservation Advisory Board

Commissioner Smith stated that the County Land Preservation Advisory Board would be meeting on May 2, 2002 to interview every city presenting applications for open space projects. Mr. Greg Kisela, Assistant City Manager, advised that a Friday memo would be provided to the Commission with additional information. Commissioner Smith understood there were 16 open areas under consideration, with several in previously unincorporated areas.

**Action:** Staff to provide additional information.

8. Transit Fees

Commissioner Smith felt rules should be put into place to require new buildings to pay into a fund for mass transit downtown and at the beach. He understood there was a County study underway to eliminate transportation exemptions, but he felt something should be done locally if possible. Mayor Naugle believed that in order to impose such a fee, a study would have to be performed first and an ordinance adopted. He wondered if or how existing buildings could be captured. The City Attorney stated that it was never easy to do things retroactively. Commissioner Smith wanted to explore it.

Mayor Naugle thought a special improvement district would allow capture of all buildings a little bit rather than imposing large fees on a few because he felt there should be a "wider net." The City Manager explained that there were competing interests to consider in terms of wanting to encourage redevelopment. Commissioner Smith agreed certain areas could be exempt, but when something was being constructed on the oceanfront, he felt the developer should participate in the transit program.

Mayor Naugle felt such a fee should be only for non-residential property. Commissioner Smith thought residential developers would want their unit owners to use mass transit. Mayor Naugle felt the idea with downtown residences was to allow walking rather than trip generation, but there were also other reasons to apply it only to non-residential property. He thought this might conflict with the DDA, and he wanted to look at transportation improvement districts established around the country. Commissioner Smith thought the \$400,000 PD&E study would be more successful if there was a local contribution to match federal dollars. Mayor Naugle agreed local matches were required for success.

**Action:** As discussed.

9. Sunrise Boulevard Landscaping

Commissioner Smith requested an update on the landscaping of the medians along Sunrise Boulevard. The City Manager hoped to have some additional information on April 23, 2002 in this regard.

**Action:** Report to be provided.

10. Dogs on Beach

Commissioner Smith said he had seen some big, ugly pit bulls on the beach last week, and he felt some additional enforcement was necessary. He was concerned because there seemed to be a "rough element" on the beach recently. The City Manager agreed to look into it.

**Action:** Staff to investigate.

11. Pedestrian Friendly Urban Design

Commissioner Katz reported that a seminar was planned for May 3, 2002 from 8:30 a.m. to about noon in the AutoNation Building Atrium. She advised that the former Mayor of West Palm Beach would be attending, along with others who could provide information about developing public spaces, transportation elements, and economic goals. Commissioner Katz encouraged the other Commissioners to attend.

**Action:** None.

12. Palm Aire Wall

Commissioner Katz stated that when Palm Aire had been annexed, area residents had been told that the City would deal with the Turnpike buffer wall along the area. The City Manager said he had been working with John Pisz in this regard. Mr. Kisela stated that a meeting was being scheduled to discuss funding and other issues. Commissioner Katz just wanted to be sure any promises were fulfilled. Mr. Kisela stated that the Turnpike buffer wall involved partnerships with the Cities of Lauderhill and Pompano Beach, and the 31<sup>st</sup>/62<sup>nd</sup> privacy wall presented certain challenges in terms of adjacent property owners.

**Action:** Staff to follow-up.

13. Multi-Cultural Day

Commissioner Katz inquired about Multi-Cultural Day. The City Manager stated that staff had been exploring the idea of the City participating in or sponsoring Multi-Cultural Day, and he had suggested that it coincide with the opening of the African-American Research Library in October, and he was working with Sam Morrison. He noted that Multi-Cultural Day should probably include neighboring communities. Commissioner Katz asked him to keep her informed since this community was so ethnically diverse, and she hoped to see all of the countries represented.

Commissioner Smith understood some 150 dialects were spoken in the public schools. Mayor Naugle noted that there had been some multi-cultural events at Broward Community College, and there were a lot of organizations that might be interested in setting up displays representing different continents, perhaps on the Riverwalk, with different music, food, dances, etc. He believed Sister Cities International could be helpful. Commissioner Katz added that there was a Chinese group, among others, and maybe 8 or 9 would be interested in participating.

**Action:** As discussed.

#### 14. Reorganization

Commissioner Katz was glad to see that the reorganization was moving forward, but she wondered if it would be better to let people go with severance pay rather than letting them continue working until they completed current projects. Mayor Naugle thought it would be better. Commissioner Moore did not believe the Charter allowed the Commission to interfere in these types of issues, and there were certain goals Mr. Witschen needed to complete.

The City Manager noted that he had spoken with each of the Commissioners individually in this regard, and he had set forth his rationale. He explained that there were some specific things he wanted Mr. Witschen to complete, including negotiations about the federal courthouse relocations for economic development and CRA reasons. In addition, there were a couple of major development agreements currently under negotiation, and Mr. Witschen had been serving as the "point person" on these projects.

Commissioner Smith was glad to see the City Manager following through on the recommendations contained in Judge Latimer's report, which must have been difficult. The City Manager advised that this was an ongoing process, and he hoped to minimize losses during the transition.

**Action:** None.

### **V – City Manager Reports**

#### 1. Legislative Issues

Mr. Bud Bentley, Assistant City Manager, reported that the billboard legislation had passed and was now in the Governor's office. He advised that a letter had been sent expressing the City's opposition. Mr. Bentley also reported that Bill 571 was under consideration, and it provided that \$5.50 of the money already collected and distributed to the County for moving violations be redirected to cities with 800-megahertz law enforcement radio systems. He said that could provide a revenue stream to support the radio system, and he suggested a resolution of support be adopted at the Regular Meeting because counties were seriously opposing the bill. It was agreed.

**Action:** Resolution to be presented at Regular Meeting.

Commissioner Moore wished to recognize the presence of Dr. Dorsey Miller, a Commissioner from the North Broward Hospital District.

2. Broward Boulevard Streetscape Project

Mr. Hector Castro, City Engineer, provided an update on the Florida Department of Transportation's (FDOT) Broward Boulevard Streetscape project. He advised that the contractor wanted to make a change to using the inside lanes against the medians in order to reduce the construction period. He stated that Broward County had approved the change, and consideration would be given to the area in front of the school. He explained that the area east of I-95 would be completed 30 days sooner than originally planned as a result. Commissioner Moore appreciated the fact that staff had addressed the issue of students crossing the road because there had been a dangerous situation.

**Action:** None.

3. Bombing in Haifa, Israel

The City Manager referred to recent bombings in Fort Lauderdale's sister city, Haifa, Israel. He reported that he had been trying to contact the Mayor on behalf of the residents of Fort Lauderdale.

**Action:** None.

At 4:40 P.M., the meeting was recessed. Mayor Naugle announced that the City Commission would now have a closed-door session for the purpose of discussing collective bargaining strategy concerning the FOPA and health insurance benefits.

The meeting was reconvened at 5:18 P.M. Mayor Naugle announced that the City Commission would now meet privately regarding litigation strategy in connection with the following cases:

1. City of Fort Lauderdale v Coolidge-South Markets Equities, L.P., a Delaware Limited Partnership et al (Case No. 00-10449[09]); and,
2. Michael Chalfonte – Workers Compensation Case No. WC 89-5351.

Meeting adjourned at 5:20 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.